

IN THE COURT OF APPEALS
FIRST APPELLATE DISTRICT OF OHIO
HAMILTON COUNTY, OHIO

KEVIN HAGGARD	:	APPEAL NO. C-140504
		TRIAL NO. A-1403075
and	:	
		<i>JUDGMENT ENTRY.</i>
ASHLEY HAGGARD,	:	
Plaintiffs-Appellants,	:	
vs.	:	
ABUBAKAR ATIQ DURRANI, M.D.,	:	
and	:	
CENTER FOR ADVANCED SPINE	:	
TECHNOLOGIES, INC.,	:	
Defendants-Appellees.	:	

We consider this appeal on the accelerated calendar, and this judgment entry is not an opinion of the court. *See* S.Ct.R.Rep.Op. 2; App.R. 11.1(E); 1st Dist. Loc.R. 11.1.1.

This is an appeal from a decision of the Hamilton County Common Pleas Court granting the motion to dismiss filed by defendants-appellees, Abubakar Atiq Durrani, M.D., and the Center for Advanced Spine Technologies, Inc., (“CAST”). In a single assignment of error, the plaintiffs-appellants, Kevin and Ashley Haggard, argue that the trial court erred by granting the motion to dismiss “after the Plaintiff-Appellants 41(A) [sic] the case.”

The record reveals that the trial court granted the motion to dismiss three days *before* the Haggards filed a notice of dismissal of their claims pursuant to Civ.R. 41(A).

Because the alleged error is not demonstrated in the record, we overrule the assignment of error. App.R. 12(A)(2). Accordingly, we affirm the trial court's judgment.

A certified copy of this judgment entry is the mandate, which shall be sent to the trial court under App.R. 27. Costs shall be taxed under App.R. 24.

HENDON, P.J., FISCHER and DEWINE, JJ.

To the clerk:

Enter upon the journal of the court on July 17, 2015
per order of the court _____.

Presiding Judge